

## Amendments to the CAP Code made in January 2009

**51.10** Claims for food products that refer to a rate or amount of weight loss are not permitted. Claims made for other products that individuals have lost exact amounts of weight should be compatible with good medical and nutritional practice, should state the period involved and should not be based on unrepresentative experiences. For those who are normally overweight, a rate of weight loss greater than 2 lbs (just under 1 kg) per week is unlikely to be compatible with good medical and nutritional practice. For those who are obese, a rate of weight loss greater than 2 lbs per week in the early stages of dieting may be compatible with good medical and nutritional practice.

**47.10** Marketing communications should not give a misleading impression of the nutritional or health benefits of the product as a whole. ~~Except those for fresh fruit or fresh vegetables, food or drink advertisements that are targeted directly at pre-school or primary school children through their content should not include nutrition or health claims.~~

**50.21** A well-balanced diet should provide the vitamins and minerals needed each day by a normal, healthy individual. Marketers must not state or imply that a balanced or varied diet cannot provide enough nutrients in general and should not encourage anyone to swap a healthy diet for supplementation. Marketing communications must not imply vitamin or mineral supplements can be used to prevent or treat illness. Marketers may offer vitamin and mineral supplements to certain groups as a safeguard to help maintain good health but they must not, unless the claims are authorised by the European Commission, should not imply that they can be used to ~~prevent or treat illness,~~ elevate mood or enhance normal performance. Claims about higher vitamin or mineral intake for a specific function are permitted if authorised by the European Commission. Without well-established proof, no marketing communication should suggest that there is a widespread vitamin or mineral deficiency, or that it is necessary or therapeutic to augment a well-balanced diet. Individuals should not be encouraged to swap a healthy diet for supplementation.

**50.22** People who are potentially at risk of deficiency may be safeguarded by vitamin and mineral supplementation. If the claim made for a vitamin or mineral supplement is relevant only to a group that is at risk of inadequate intake, marketing communications must state clearly the group likely to benefit from the supplement. Products must be appropriate and marketing communications should specify the group they are addressing when claiming or implying that health may be maintained. Indicative groups include:

- a) people who eat nutritionally inadequate meals
- b) the elderly
- c) children and adolescents
- d) convalescents
- e) athletes in training or others who are physically very active

- f) women of child-bearing age
- g) lactating and pregnant women
- h) people on restricted food or energy diets
- i) people with Asian ancestry from the Indian sub-continent
- j) people who smoke.

**50.17** Marketers should not use health professionals or celebrities to endorse medicines. Health claims in marketing communications for food products must not refer to the recommendation of an individual health professional.

**56.10** Marketing communications may give factual information about:

- a) product contents, including comparisons, but must not make any ~~other type of~~ health claims, which include fitness or weight control claims. The only permitted nutrition claims are “low alcohol”, “reduced alcohol” and “reduced energy”.

**Further amendment to the CAP Code following BCAP’s consultation**

**56.10** Marketing communications may give factual information about:

- a) product contents, including comparisons, but must not make any health claims, ~~which including~~ fitness or weight control claims. The only permitted nutrition claims are “low alcohol”, “reduced alcohol” and “reduced energy” and any claim likely to have the same meaning for the audience.

Formatted: Highlight